

STANDING COMMITTEE ON HOUSE OVERSIGHT, ELECTIONS, AND ETHICS

326 House Office Building

Wednesday 9:30 A.M.

February 22, 2006

Representative Ward, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Ward, Elsenheimer, Gaffney, Meisner and Gillard.

Representative Gillard moved, supported by **Representative Gaffney**, to approve the minutes of the **January 18, 2006** meeting.

There being no objection, the motion prevailed by **unanimous consent**.

The Chair announced the addition of two items HB 5527 and HR 199 to the agenda.

The Chair laid **SB 462** before the committee.

SB 462 Switalski Elections; candidates; filing deadline for write-in candidates; revise to Tuesday before the election.

Senator Switalski, sponsor of **SB 462**, explained his bill to the committee. Questions and discussion followed.

Richard Notte, representing the City of Sterling Heights, testified in support of **SB 462**.

Kathy Dornan and Terri Kowal, representing the Michigan Association of Municipal Clerks and the Council of Election Officials, testified in support of **SB 462**.

Tom Frazier, representing the Michigan Townships Association, testified in support of **SB 462**. Questions and discussion followed.

Doug Novak and Chris Thomas, representing the Secretary of State, testified in support of **SB 462**.

Representative Gaffney moved, supported by **Representative Meisner**, to report SB 462 with recommendation.

The motion prevailed by **a vote of 5-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Gaffney, Meisner and Gillard,

Nays: None,

Pass: None.

SB 462 reported out with recommendation.

The Chair laid **HB 5527** before the committee.

HB 5527 Gaffney Torts; product liability; FDA approval defense for drug products; provide for rebuttable presumption rather than absolute defense and provide grace period for bringing certain actions previously barred by the defense.

The Chair explained that he wished to refer **HB 5527** to the committee on Tort Reform. Questions and discussion followed.

Representative Elsenheimer moved, supported by **Representative Gaffney**, to report **HB 5527** with the recommendation that the bill be **referred to the Committee on Tort Reform**.

The motion prevailed by a **vote of 5-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Gaffney, Meisner and Gillard,

Nays: None,

Pass: None.

HB 5527 reported with the recommendation that the bill be referred to the Committee on Tort Reform.

The Chair laid **HB 4228** before the committee.

HB 4228 Ward Elections; absent voters; local clerk or secretary of a school board to maintain list of permanent absentee voters; require.

Representative Ward explained **HB 4228** to the committee. Questions and discussion followed.

Kathy Dornan and Terri Kowal, representing the Michigan Association of Municipal Clerks and the Council of Election Officials, testified in support of **HB 4228**.

Tom Frazier, representing the Michigan Townships Association, testified in support of **HB 4228**. Questions and discussion followed.

Doug Novak and Chris Thomas, representing the Secretary of State, testified in support of **HB 4228**.

Arnold Weinfeld, representing the Michigan Municipal League, submitted a testimony card in support of **HB 4228** but did not wish to speak.

Representative Elsenheimer moved, supported by **Representative Gaffney**, to adopt the (H-3) substitute for **HB 4228**.

The motion prevailed by a **vote of 5-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Gaffney, Meisner and Gillard,
 Nays: None,
 Pass: None.

Representative Gaffney moved, supported by **Representative Gillard**, to report **HB 4228** as **substitute (H-3)** with recommendation.

The motion prevailed by a **vote of 5-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Gaffney, Meisner and Gillard,
 Nays: None,
 Pass: None.

HB 4228 (H-3) reported out with recommendation.

The Chair laid **HR 199** before the committee.

HR 199 **Ward** A resolution to request the Michigan Supreme Court to issue an opinion on the constitutionality of the provisions of 2005 PA 71 that require voters to provide photo identification in order to obtain a ballot.

Representative Ward explained **HR 199** to the committee. Questions and discussion followed.

Representative Elsenheimer moved, supported by **Representative Gaffney**, to report **HR 199** with recommendation.

The motion prevailed by a **vote of 3-2-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer and Gaffney,
 Nays: Representative Meisner and Gillard,
 Pass: None.

HR 199 reported out with recommendation.

The Chair laid **HB 5082** before the committee.

HB 5082 **Drolet** Elections; candidates; filing deadline for third party presidential candidates; amend.

Kenneth Braum, from Representative Drolet's office explained **HB 5082** to the committee. Questions and discussion followed.

Kathy Dornan and Terri Kowal, representing the Michigan Association of Municipal Clerks and the Council of Election Officials, testified in support of **HB 5082**.

Representative Elsenheimer moved, supported by **Representative Gillard**, to report **HB 5082** with recommendation.

The motion prevailed by a **vote of 4-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Meisner and Gillard,
Nays: None,
Pass: None.

HB 5082 reported out with recommendation.

The Chair laid **HB 5704** before the committee.

HB 5704 Gaffney Elections; other; time frame to certify ballot wording for local, school district, or county ballot question; amend.

Representative Ward explained **HB 5704** to the committee. Questions and discussion followed.

Kathy Dornan and Terri Kowal, representing the Michigan Association of Municipal Clerks and the Council of Election Officials, testified in support of **HB 5704**.

Representative Elsenheimer moved, supported by **Representative Gillard**, to report **HB 5704** with recommendation.

The motion prevailed by a **vote of 4-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Ward, Elsenheimer, Meisner and Gillard,
Nays: None,
Pass: None.

HB 5704 reported out with recommendation.

With no further business to come before the committee, **the Chair** adjourned the meeting, the time being **10:30 a.m.**

Representative Ward, Chair

Dave Mead
Committee Clerk
February 22, 2006
1 hour

Date Approved and Signed